1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

624 554 brave man who was not necessarily a war chief. It, too, was decorated with a row of eagle feathers. These had the breast feathers tied about the bottom of the quill and reached down to the waist of the wearer. At the top of the buffalo scalp was a bunch of magpie feathers set back on the center of the head.

554 431 In the Buffalo Eaters band such a bonnet was assumed by any brave who felt worthy of wearing one. There was definitely no ceremonial bestowal. Becomes A Middle-Aged Man, who possessed such a bonnet, says that sometimes it was the gift of friends to a brave man. One friend might suggest it to another with the result that they would gather up the feathers. A woman made them into a scalp bonnet, after which it was presented by them to the mutual friend as a token of esteem.

554 The acceptance of a buffalo scalp bonnet was a serious matter. People watched a man who took one to see if he was really worthy in his next battles. Failure meant ridicule and disgrace. Becomes A Middle-Aged Man could have risen to the rank of tɛ́kniwap. He did not, because he felt that he was not brave enough. And yet this man is one (the sole survivor) of the band of six who entered the fortified corral at Fort Sill sixty-nine years ago to drive out one hundred and twenty-one horses under the very noses of the guards without being detected! When the final capitulation to the whites was made, he hung his buffalo scalp bonnet in a tree, leaving it there never again to be worn. In his words, "A man who has surrendered his freedon is not fit to wear such an honorable badge." In the old days, it was the practice upon the death of a chief to hang his bonnet in a tree where it could not be seen, so to allow it to waste away.

● 626 Women among the Comanches were also privileged to bestow war bonnets upon "deserving" fighters. But it was a hat which rested uncomfortably upon the head of the receiver. Braggarts, whose words spoke louder than their deeds, were neatly handled by the plotting, sniggering females. They made him a war bonnet in secret (if we only knew what kind!). When the moment was ripe, they made a public presentation with such words as these. "Here, you're such a brave fellow. You ought to be a tɛ́kniwap. Surely, anyone as brave as you ought to be without fear in the face of the enemy. Yes, you deserve a war bonnet. Now it is yours to wear."

So what was Talking Bigger Than His Deeds to do? He had to live up to the obligations of that war hat, or lose it and become an "elder sister." There was a sanction!

554 701 A most special type of war bonnet was the Crow Feather Tassel (haimudya).[11] The Crow Feather Tassel was made of five feathers clipped short

[11] The details of the haimudya complex are from information obtained by Dr. Mirsky.

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

575 887 521 travesty is a burlesque of the values which were held dear by the younger men who were still actively engaged in war and the ego-maintenance competition. As sorcery may be looked upon as one weapon of revenge used by the old men,[19] so the burlesqued coup counting may be interpreted as an equivalent compensatory mechanism.

Comanches of warrior age did not engage in coup-counting bouts in the manner described for the Cheyenne by Grinnell.

575 887 ●626 In a more serious way, the Smoke Lodge functioned as a trading post for gossip and ideas among the old men, much as did the general store in old New England and rural America.

Concerning matters of general tribal moment, the old men expressed their thoughts and apparently made them known to the public by letting the peace chief know their concensus. Their influence was advisory; it was designed to sway public opinion, but without direct power to mould public policy. Post Oak Jim properly tagged the old men in the Smoke Lodge by explaining, "they were just like a Chamber of Commerce." They could make talk and mayhap make opinion, but they could make no law. In some bands, however, they could definitely help the peace chief determine the time of camp moving.

That the old men in general, as did the peace chiefs in particular, acted as soothers of ruffled tempers, pacifiers of internal dissension, is well attested. It was an important factor in the totality of social regulation. And let it not be forgotten that in this role they were just as important in keeping disputes from reaching the breaking point as is the authorized guardian of the law in more complex societies. The chances are that they were more so.

575 887 In later days, the Smoke Lodge in the Antelope band became the butt of a pair of mischievous pranksters. Originally there was no foolishness, and the old men were respected. But two boys, Leader, and his pal, Through, were without respect or restraint. How the old men responded to their indignities is revealing.

---

[754] [19] The role of sorcery in this respect has been nicely phrased by Professor Ralph Linton. "There is abundant evidence that among the Comanche the transition was often a difficult one for the individual. Warriors did not prepare for old age, thinking it a better fate to be killed in action. When waning physical powers forced them to assume the new role, many of them did so grudgingly, and those who had strong magic would go on trying to enforce the rights which belonged to the younger status. Such bad old men were a peril to young ones beginning their careers, for they were jealous of them simply because they were young and strong and admired by the women. The medicine power of the young men was still weak, and the old men could and did kill them by malevolent magic. It is significant that although benevolent medicine men might be of any age in Comanche folklore, malevolent ones were always old." Ralph Linton, *The Study of Man* (New York, 1936), p. 121.

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

183 The Comanche populace greatly enjoyed the spectacle of wife-stealing.
684 The culture enhanced the procedure by providing for group cooperation in the absconding act. It is clearly discernible in this, that though the Comanches "believed" arranged marriages between an older man and younger woman were the best, their sympathies were with the young couple who tried to get together in spite of the formal pattern. Absconding took place when war parties were leaving the camp. The would-be absconder made himself a member of the raiding group and arranged for the woman to join him in the group at the first-night rendezvous. So the couple rode off on the foray with the gang of warriors.

171 Absconding with a war party is apparently unique among the Comanches, their own invention. The practice did not exist among the Shoshoneans from whom the Comanches stem. Among the Cheyennes such conduct was absolutely forbidden.[2]

PROCEDURE IN ADULTERY AND WIFE ABSCONDING

684 A Comanche male who had suffered a legal wrong was under social
626 obligation to take action against the offender. For a man not to do so was not looked upon as an act of social grace; indeed, such behavior was a social disgrace. A man so acting was stamped not as magnanimous, but as lily-livered. Adultery and taking another's wife were direct attacks upon the prestige of the wife's husband. Both acts were unmistakable challenges which could not be ignored by the man who would maintain enough face to make life livable.

Naturally, the aggrieved party was not always inclined to act, nor was the reason always cowardice. If the wrong were not made public, it is obvious that public opinion could not drive a man to institute prosecution. Ridicule was the weapon used by society to cause a man to proceed after the cause for action had become public.

This is clearly brought out in the account of an adulterous youth as told by That's It.

Case 4. Adultery: Husband Slays Boy's Pony; Also That of Boy's Grandfather
Informant: That's It

"An old man had a handsome grandson. Being very proud of the boy, the old man liked to boast of him in public.

[2] An enterprising warrior tried it once. The leader of the party immediately convened his followers in council to determine the action to be followed. The man and the woman were sent back to camp, but the warriors all promised gifts to be given to the aggrieved husband. On their return from the raid the promises were handsomely fulfilled. But they also effected a formulation of the rule that no man should ever take the wife of another on a raiding party. No subsequent violations of the rule ever occurred. Llewellyn and Hoebel, *op. cit.*

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

"One day the boy sat in a tipi playing the stick game. There were many people present. The grandfather came in and squatted beside the boy as he was playing. The old man looked around and saw a good-looking woman there. He nudged his grandson in the ribs. 684 626

"With a sly look he whispered, 'That looks like the woman you had last night.'

"The boy looked up and told his grandpa to go away. Then the old man was hurt and said he said nothing wrong. He said it looked like her; no harm in that, is there? Then he was quiet for a few minutes.

"But the old man just couldn't keep still. He kept repeating his observation, how that good-looking woman looked like the one the boy had had the other night. He wouldn't shut up.

"The woman's husband was also there. Pretty soon he spoke up, saying, 'Yes, that's the fellow.'

"The old man left the tipi.

"Pretty soon the game broke up, and all the people went home. The woman's husband just got on his pony and rode over and shot the red mare which was the old man's favorite horse. The he went and killed the boy's pony. He had been letting the matter ride until that old grandpa talked about it in public.

"The boy was real sad and he said, 'Grandpa, you sure done wrong. Look what you got us into.'

"The old man couldn't say anything. He just went off and wept."

The Comanches in this respect were like Malinowski's Trobriand Islanders[3] and many another society. An act may be known by the public and winked at, but when the act is publicly labelled, self-conscious public indignation flares up and blasts the culprit with its hot breath.

Since there were no courts or assizes to be waited upon, action could be instituted at any time. Each case was met by the parties concerned as it arose, and the location was limited only by the necessity of carrying the action to wherever the offender could be found. At home, this was usually at the doorway of his tipi. If the offender was with a raiding party, the aggrieved could await the return of the absconder, or could pursue him. In prosecution, the aggrieved (a) accosted the defendant himself, stating the offense and the extent of damages which would satisfy him. This he might do if he were brave enough. Or, (b) he sent others to prosecute for him, signifying that he considered the matter not worthy of his personal attention, and at the same time minimizing the chance of violent outbreak. An extreme 627x

[3] Concerning incest among the Trobrianders: "If the affair is carried on *sub rosa* with a certain amount of decorum, and if no one in particular stirs up trouble—'public opinion' will gossip, but not demand any hard punishment. If on the contrary, scandal breaks out—every one turns against the guilty pair and by ostracism and insults one or the other may be driven to suicide." (Malinowski, *Crime and Custom*, p. 80.)

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

CRIMINAL OFFENSES

EXCESSIVE SORCERY

Much confusion in the study of simpler societies results from our common habit of identifying criminal law with so-called penal law. Primitive law cannot be fruitfully considered according to the type of punishment. Criminal law is the law of crimes, i.e., *public* wrongs or delicts; civil law the law of "private" wrongs or delicts: torts and breaches of faith. 121

A crime may in this sense be distinguished from a wrong so far as the consensus in the society does or does not show a feeling that the act in question is a harm to society *per se* rather than merely to an individual or particular sub-group. Thus violation of a norm becomes a crime when the sanction of force attached to it is applied by society or its recognized agents, the primary motive behind the sanction springing from a positive sense of general social injury or affront. But the sanctions involved may be no different from those observed to operate in the case of private wrongs. The line between crime and wrong is not a sharp one; commonly, any offense is part one, part the other. When there is no statutory or other explicit means determining where the responsibility for action shall rest, it is occasionally difficult to differentiate crime from wrong in any way; indeed, there may be no differentiation.

Sorcery in Comanche society was primarily the concern of the family of the person affected. It was for them to treat with the sorcerer or to engage a medicine man to effect the cure. Sorcery as a wrong is dealt with below (see Ritual and Evidence). It is also clearly established that sorcery engendered social consequences causing the entire society to react. Because sorcerers were persons with whom social intercourse was dangerous, to be known as a sorcerer meant that normal social relations were to some degree withdrawn. To be known as a bad sorcerer meant that a person was usually shunned to the point of ostracism. The evidence indicates that this ostracism was positive enough to cause the evil medicine man to live apart from people, taking his position a little way off from the camp as a social pariah.[1] From this it is fairly clear that general social sanctions were asserted along with the particular magical and social sanctions which were first applied in a case of sorcery. Public opinion—that sustained public disapproval of any act or series of acts in which we find the germ of criminal law—was always hostile to the sorcerer. After a long-time accumulation of public 754 626

[1] That the sorcerer was specifically ostracized was affirmed in a generalized statement by That's It. The fact will be noted in application in the case given by Slope on page 79, and again in the quotation from Eagle Tail Feather contained on page 81.

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

754 resentment a crisis could arise which focused all this resentment on the
626 sorcerer's unfortunate head, congealing public sentiment to direct and vigorous public action. When this point was reached, tort merged into crime.
626 The result was lynching. But such lynching was an act of social policy and
683 not the venting of mob hatred. The purpose and end can be seen to be the same as in many of those outbursts of fury which occur in our own society, but the temper was different. In our society lynchings are frequently associated with the outraged feeling that the "law" will not operate severely enough or that it may be evaded. Comanche lynchings were deliberately executed by spontaneous, but stated, social agreement in the absence of any other established procedure. This was a movement towards a higher juridical level; ours is a relapse. Finally, the crime of which the Comanche victim was guilty was rarely indeed *an* act; it was rather the acquired status of "publicly dangerous person," akin to our recent conception of Public Enemy No. 1. History and reputation made the status; danger, or the sorcerer's old age, or loss of grip furnished the motivation; any given particular outrage was at last a fulminating cap upon the charge.

627 Comanche lynching was apparently not of frequent occurrence. It could
683 not be called a *predictably* established practice. Our records are limited to three accounts of such an event, though most Comanches will formulate the generalization that evil medicine men were killed by the people. These accounts were explicit and to the point, leaving no doubt as to their being definite Comanche reactions. It cannot be stated with surety that they are not all versions of the same incident.

Case 20. Excessive Sorcery: People vs. (?)
Informant: Post Oak Jim

"There was a nice young man got bewitched by an old Beaver medicine man; he was wasting away. Someone asked another medicine man to find out what was wrong with the boy. This second medicine man told them about the sorcery the Beaver man had made. He also told them that that same old man was the cause of other cases like that.

"When this was learned, all the men in the band had a conference at which they decided to kill the sorcerer. They made believe they were going to have a curing for the sick boy. They set up a Beaver lodge and put the sick boy in it. Then some of them went and smoked with the sorcerer and asked him to come to perform the Beaver ceremony cure for the boy. He accepted the smoke and came to the lodge. The people went inside, but they left two young warriors outside the lodge to kill the medicine man when he came out after the ceremony was over.

"Later on, he came out and started for home with a small boy as companion. When they had got half way home, and the women were all asleep, the two warriors sent the little boy away and killed the medicine man."

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

In a variant of this legend given by Eagle Tail Feather the plot structure is identical, but the scene is laid in an Arapaho camp where "the Arapaho medicine man, who was hated by his people, lived alone with his wife to the east of the camp." In the case of the Cheyenne as presented in the version given above we have clearly a reading of Comanche attitudes into the case as Cheyenne attributes. The Cheyennes, so far as field study could determine it, did not possess the sorcery complex.

To sum up sorcery as a crime: Expressed attitudes and the instances cited indicate that sorcery was a socially disruptive power, looked upon with social disapproval. Isolated instances of sorcery were handled as offenses against individuals, though there was no single established social machinery for the need. The diffuse sanctions intrinsic in all social relations were always pressing upon the person who used his medicine powers for bad ends. Such a person was dangerous and social intercourse was withdrawn, eventually leading to overt ostracism and a kind of imposed segregation of the pariah on the edge of the camp. (This segregation seems to have been self-assumed in that there does not appear to be any evidence that the sorcerer was told by anyone that he had better move out. We take it that he was simply frozen out.) Some possessors of medicine powers were compelled by that very power to use it on other people to protect themselves from the ravages of that power. Such excessive and indiscriminate use of power became a social menace not to be tolerated and the result was on occasion a deliberate formation of a social policy to meet the situation. People decided that such a person must die and then laid out a plan as to how the execution could be effected. This was done through the medium of a seemingly dispassionate execution through delegates.

The scarcity of cases of this sort leads to two alternative conclusions: either (a), there was not much use of sorcery attributed cumulatively to individuals; or (b), the accumulated irritation against the users of black magic did not often reach the point where it precipitated direct action on the part of the band. This would reflect either the lack of geared machinery for moving society against public offenders or that the Comanche failed to get obsessive about sorcerers.[2]

INDIVIDUAL ACTION DURING THE COMMUNAL HUNT

In approaching consideration of the rules of the communal buffalo hunt, we might look with expectancy towards something more definite. For it is at this point that the tendency to evolve a definite political expression of

[2] Professor Ruth Benedict observes, "Sorcery is a fear-projection, and the Comanches were not ridden by fear."

ABNORMAL CONDUCT

On a less-than-legal level there are forms of social conduct which are definitely in violation of social norms and yet not viewed in the eyes of a people as behavior that calls for explicit sanctions. Such acts, though disapproved, society is willing to leave to the implicit sanctions of public opinion and the desire of the individual to stand well. The off-the-norm behavior described in this section is of this order. 626 ●

ILLEGITIMACY

Comanche attitudes towards illegitimacy show no vindictiveness, though the feeling prevailed that every child should have a recognized father. Illegitimacy was declared by all informants to have been rare. Premarital sex relations were common enough, and abortion was not unusual, but in case of childbirth it is asserted that the father married the mother willingly. If the father did not come forth voluntarily and his identity was known, the parents of the girl are said to have gone to him with friendly talk to persuade him to marry the daughter. In cases of doubt (multiple possibilities), informants say paternity was determined on the basis of physical resemblance between child and supposed father: or if the child was old enough, it was determined by whom the child chose as its father. It is stated that if the father was not known, the girl was not usually married to another for a long time after the birth of her child, for the father could come and claim his child at any time. The problem-set was not to punish the mother, but to properly provide for the child. 848 [836] [847]

That's It gave a history which is typical of the Comanche aftitudes.

Case 33. Illegitimacy
Informant: That's It

"An unmarried woman had a child. She said she would never be able to take care of that child, so she thought she would get rid of it. Accordingly, she took it to a grove and there washed it up and laid it on a bed of sage leaves. Pretty soon a young man came out to tend horses. He found the little baby lying there. He looked at it and picked it up and wrapped it in his blanket. He turned back home with it. Just as he stepped through the door of his tipi the baby cried. The brave's mother, who was there, looked up, 'Did I hear a baby?'

" 'Yes,' said the youth, 'here's my son.'

" 'What a burden!' the mother cried.

"But her son insisted on keeping it, so they took the child to a wet nurse. They gave her presents in payment for feeding the baby. Later on they bought corn meal from the Mexicans to feed it. When the boy was three years old, his father told his mother and father that he wanted to go on the war-path. He was gone for a year.

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

848 On the day he came back the little boy's mother wanted to come over to the warrior's tipi. She hesitated three times and couldn't get herself to go. But she came over at breakfast the next morning and called at the tipi. They invited her into the tipi and told her to sit down next to the boy. The girl told the grandmother that she had come to do dishes and clean up everything. She went over and sat down next to the grandmother.

"The people wondered: they asked her how it happened she was visiting them when she had no connection to them. Then she told her story. When she finished she begged to be allowed to stay in any capacity.

"The old man, the grandfather, said, 'Yes, it is good. It is up to the old woman, my wife.'

"The old woman, the grandmother, said, 'Yes, it is all right; it is up to the old man and my son.'

"Then the brave said, 'She will take care of him. It is good. She may stay here with us.'

"The child was named Covered With Sage; that is how they found him."

INCEST

835 626 Incest was forbidden. The tabu applied to parent-child (real and classificatory), brother-sister (real and classificatory) and uncle-niece, aunt-nephew relationships. There was no rationalization of the tabu. It was just there. As Bluefoot observes today, "They did not know about the harm in it. They just didn't want the people to make fun of them for marrying a relative."

"Making fun of them" and ostracism were the only controls used by the Comanches to reprove incest.

One whole band is damned in name because of their reputed incestuousness. Lots of Maggots on The Penis was this band's regular appellation. An alternative sobriquet was Something Together. It is declared that this band is now extinct because of its incestuousness. (This might vaguely imply a supernatural sanction, but more likely this is a reflection of attitudes derived from the whites.) Comanche attitudes towards incest are revealed in the following case.

835 588 *Case 34. Incest*
Informant: Talker (Recorded by Jeannette Mirsky)

"There was a family, father, mother, brother and sister. The children grew up. When the daughter was about twenty-five and very pretty, the family seemed to get separated from the rest of the band. They camped by themselves. It made the mother wonder why they had gotten away from the others. 'It is dangerous to live off by oneself; in case of attack there is no one to help us,' she complained.

"But the son said, 'Be quiet. It is not dangerous.'

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

835 588 "They stayed right on in camp. The brother and sister and chore wife lived together and the child grew up. Some people called on them, but even though they lived in the main camp, they were isolated. People like myself, who knew what was right, thought the brother was crazy. Some men would smoke with him and try to tell him evil would come of it.

"Yet they lived through it all without mishaps and died a ripe, old age."

626 835 588 Here society was completely disarmed by a thick-skinned individual. The barbs of public and familial disapproval did not penetrate. There were no legal shafts to hurl—the deed was neither tort nor crime—he matched his indifference against society's impotence—and won.

There were other cases. Red Youth married his sister's daughter. Though he was much older than she, they were married and lived together for years. People called it ąąkwɜ'ɜtɜn, niece-uncle marriage, in a sneering way.

In another marriage of this sort, Pointing To The Rising Sun married his sister's beautiful daughter, Wide Feet. His sister, Takes Two Scalps refused to call him "son-in-law." She always called him "elder brother": it was as though he were not married to her daughter. People always made it a point, however, to refer to him as her son-in-law. *They* were not going to let it pass.

In all these cases the male was the incestuous aggressor. Such men were referred to as crazy (pɔ'sa). They did not care for the delicacies of convention.

935 There is a mythological tragedy, however, in which the sister was the aggressor. The boy reacted heroically. He is held up as the ideal to Comanche children: his sister is given them as the example of what comes of shamelessness.

This boy was old enough to have his separate tipi. His sister slept in the big tipi with the parents just as was usually done. One night a girl slipped into the tipi of the youth and lay with him. He did not know who it was in the dark. He was curious, so he marked her dress down the back with paint while they were together.

The next day he went over to where the women were playing shinny to look for his mark. His sister had the mark on her dress! The boy was ashamed; but he did not say anything. He just went away and cut a short double-pointed dogwood spear and took it with him to bed that night. Again his sister came and lay with him as before. Just as they pressed themselves together, he shoved the spear between their breasts. It pierced them both. In the morning the parents came to see why the boy did not come out. They found them dead. The mother was so angry with the shameless daughter that she cut and slashed the body of the girl all to pieces.

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

been done away with from intercourse with the more civilized Indians. . . ."[4] 428
Further, even the tipi in which the dead person, man or woman, lived was 768
totally destroyed; also for a child, but not for a baby. Articles of intimate personal usage were buried with the corpse. Other less important articles were burned. Possessions with medicine powers were either destroyed by throwing them into the river, or by placing them in an unfrequented tree where they could rot.

Claimants for any surplus property were the relatives, close friends 428
of the deceased and fellow tribesmen who came to mourn—especially those who mourned with enthusiasm. Superficially there seems to be no consistency in the Comanche rules of disposal—as to whether goods went to wife, to children, to brothers, or were given to non-relatives. The key is in the recognition of a plurality of levels of legal and customary claims.

First, the surplus property by "law" (presumably law, but its reliability could not be tested to determine enforcement) went to the widow, upon whom the obligation to share with others was imposed. Thus Itoβits said that a wife would "probably" inherit the property, and if her mother-in-law still lived, she might divide with her. Where the marriage had been polygamous, Gets-To-Be-A-Middle-Aged-Man stated, "Only those wives who had had children by the deceased husband may inherit from him; the first wife administers the distribution." That's It offered that a wife could not keep all the property for herself. "If she tried to, her husband's friends would make trouble."

The first outside claim could be that of the deceased husbands' best friend. He was privileged to ask for the favorite horse: refusal reputedly never occurred. But this was not a cut-in on the widow's property, because if the horse was not given to the intimate friend as a keep-sake, it was invariably slaughtered at the grave. In no event did it enure to the widow. By pre-death testament a man occasionally expressed the desire that his [763]
horse be given to a specified friend, rather than be slaughtered.

Outsiders who had no personal claim to a share in the estate could estab- 428
lish an obligatory claim in two ways. By providing a suit of clothes or add- 626
ing property of their own to the goods buried with the person, they imposed upon the survivors an obligation to share the estate. Visitors mourned and mourned until they were given sufficient gifts to stop them. This was an irresistible pressure from without.

Within the group of heirs, after the wife, surplus horses went to the 428
"father, mother, brothers, and all other relatives according to the degree of

[4] Schoolcraft, *The Indian Tribes, etc.*, vol. 2, p. 133.

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

428 relationship." The maternal uncle had prior claim over the paternal. However, the right to inherit must have meant very little when balanced against it were the exacting requirements of customary mourning. Ideally, the immediate family and even the brothers and sisters of a dead man gave away or destroyed property, their own as well as that from the estate. The [762] burial of a suicide-mother in the Yep Eaters band was in this pattern. The mother hanged herself because her son called her a bitch for not doing for him what his wife should have done. When the body was brought in by her 428 elder sister and father, they laid out a large buffalo rug over a thong. Then, 764 "on this they put all the pretty, fine things the *family* owned. They dressed the dead woman in all her finery, painted her face, combed and plaited her hair, painting the scalp red up the part. They covered her arms from wrist to elbow with silver bracelets. They put on her finest moccasins with silver dollar trimmings. She wore two beautiful belts with handsomely trimmed possible pouches, and so forth. The women dressed her body. (A man dressed a man's.) Her father sat at her head, calling on all her relatives and friends to take their last look. There was a big crowd gathered outside. 'We are going to throw her away. She is going to live in the ground,' he cried. After the people had seen her, they folded the blankets over her, folding in all the fine, pretty things; then they wound the thong about it.

"During this time the women wailed. They tore their dresses off, leaving only skin aprons to cover their mid-region. They hacked at their arms and legs and face. Some cut off an ear. The men cut their flesh, too. This was done by her immediate kin and close friends.

"They brought her horse then with its own saddle. Across it, they threw her body. They put their finest silver-mounted bridle on the horse. They all mounted their horses, and the sister led the funeral horse to a natural cave in the mountains. They put her in it with her saddle. Then they killed her mount.

"When they came back—there was her tipi where she had lived with her father. Back of it was her son's tipi. They put all their belongings inside and burned them. They had *nothing* left."[5]

When people so made themselves destitute, they were on the tribe. They were fed and cared for until they were ready to drop their mourning. Then the men of the family went afoot on a raid to get horses and start life anew.

428 In situations where the family did not spontaneously go as far as did this 626 last one, the public pressure of mourners *forced* them to further giving. 765

[5] The quotations are from Talker, recorded by Jeannette Mirsky.

1: Hoebel E-5 (1933) 1940 NO6 Comanche NO6

Neighbors observed that these helpers in grief "wailed a dead person until they received sufficient gifts from the man's relatives to stop. For instance," he continues, "if a man wants a favorite horse belonging to the brother of the deceased, he continues crying until he obtains it." Not only the deceased's estate, but the whole family property was drawn upon. If the death occurred in battle, then the demands of wailing and the value of gifts received were enlarged with the result that "from the liberality with which they dispose of their effects on all such occasions of the kind, it would induce the belief that they acquire property merely for the purpose of giving it to others."[6]

This is the picture of Comanche disposal of an estate as it appears to be. Actually, there were undoubtedly manifold deviations and variations towards either extreme. The patterns of disposal were nebulous and not well fixed.[7]

Nothing could better reveal the difficulty of evaluating the material which confronts us than the prevailing notions as to what happened in the disposal of the herd of horses belonging to A Big Fall By Tripping. On three points all the stories agree: he had waxed so fat that no horse could carry him, hence he was dragged from place to place on a good, strong travois; when he died he was too big to move to the mountains, so they dug a hole within his tipi and dumped him in; he left an estate of one thousand to fifteen hundred horses—all white. Concerning the settlement of the estate our four accounts diverge.

---

[6] Neighbors, *ibid.*, pp. 133–134.

[7] Professor Ralph Linton has acutely described the confusion and conflict in Comanche inheritance practices, laying emphasis upon the dynamics of cultural change. "... in 1870–1880 the practices of the Comanche with regard to inheritance were in a chaotic condition. There is good reason to believe that the whole problem of inheritance was new to the culture. The Plateau tribes from whom the Comanche had separated themselves when they entered the Plains were accustomed to destroy all a man's property at his death. This entailed few hardships and no serious economic loss, since property was limited to clothing and a few weapons and utensils. When the Comanche took over the Plains culture and acquired horses, inheritance became a real problem. Some individuals owned very large herds, in one case 2,000 animals. To slaughter the entire herd at the death of the owner was strongly against native sentiment and also prejudicial to the interests of the tribe. Since animals were freely loaned, several individuals might be dependent upon one man's herd for their mounts and would be seriously handicapped in hunting and war if these were killed. Stories indicate that there were some cases of wholesale killing during the early period, but by 1870 it had become customary to kill only a man's favorite horses and distribute the rest among the surviving relatives. No rules governing this distribution had been developed, with the result that there was usually hard feeling among the heirs." Linton, *The Study of Man*, pp. 297–298.

The Comanches

right or wrong, as we understand them, the Comanches knew little or nothing. The approach to life was pragmatic. The child was not coaxed toward good with the hope of Heaven as a reward or frightened from evil by the fear of Hell as a punishment. Instead, he was shown by word and example that the respect and approbation of his fellow tribesmen were to be desired, and their condemnation and contempt were to be dreaded and avoided. He saw that the men who were brave and generous were applauded and respected. In Comanche society it was impossible to live a secluded life. The members were aware of the conduct of each person. Each was eager for the approval of his fellows and greedy for their praise, and public opinion promised the reward he hoped for and threatened the punishment he feared—lack of esteem among The People. This was their method of control.

The Comanches did not whip or otherwise bodily punish their children but directed them by persuasion and object lessons. However, they were, at times, frightened by threats. Breaks Something, when a small boy, annoyed his mother by whining for some mush she was making. She called in an elder classificatory sister, who simply dragged him into the tipi with a rawhide strap around his neck and threatened to hang him to the top of the tipi if he was not good. "I was really scared."

Discipline within the family usually devolved on an older sister—real or, preferably, putative—and youngsters really resented their bossiness. The Comanches knew nothing about Freud and his theory of the Oedipus complex, but they did know that parental dominance breeds resentment, and so, like most American Indians, when forceful discipline was called for, they turned the job over to a relative outside of the immediate conjugal family or to an imaginary bogeyman.

Old people covered their heads with a sheet to give a ghost scare to bad little boys and girls, and all youngsters had the fear put into them of *piam3mpits*, Big Cannibal Owl, the mythological creature who lived in a cave on the south side of the Wichita Mountains and ate bad children at night.

As soon as she was large enough to walk, the girl followed her mother everywhere about the camp. She imitated her in all things,

3:Wallace & Hoebel E-4, 5 (1933, 1945) 1952
NO6 Comanche NO6

who felt worthy and desired to accept the responsibility it imposed upon the wearer. There was definitely no ceremonial bestowal. Usually the bonnet was made by friends of the warrior and presented to him as a token of esteem. The acceptance of a buffalo-scalp bonnet was a serious matter, for the people afterwards expected him to prove himself really worthy of their confidence. Failure meant ridicule and disgrace. After the surrender of the Comanches at Fort Sill, Gets to Be a Middle-aged Man hung his buffalo-scalp bonnet in a tree, never to wear it again. "A man who is beaten has no right to wear such a thing," he said.

Women sometimes made a war bonnet in secret to bestow upon a braggart whose words spoke louder than his deeds, and the presentation was made in public at an opportune moment. The recipient of such a war bonnet had to live up to the obligations of that war bonnet or else lose it and become an object of ridicule and scorn.

The Comanche war leader was under obligation never to retreat except under certain conditions which were well understood, and then only when the other warriors were safe first. He protected the rear as they retreated. The war bonnet was a symbol of tribal integrity and honor to the Comanches to be protected at all costs, "just like the flag." The mere fact that he assumed such responsibility made the war leader a rallying point for all other fighters. The war-bonnet wearer could be rescued with honor by a fellow warrior who dared to dash in and carry him from the field. It was also the duty of a war leader to help a dismounted comrade. Should he fail to do so, any other war chief who observed his disloyalty could publicly upbraid him with the act and thereby cause him to lose his status and right to wear the war bonnet if judged guilty. If a war-bonnet wearer cast off his bonnet and fled, he lost his right to wear it, and all other men would address him as *paβi*, "elder sister." An aspirant brave who wished to obtain the status of war leader might immediately do so by dashing in and recovering the bonnet. He hung it on a bush and protected it all day in the face of the enemy. At sundown, if he charged the enemy four times, the bonnet and all its honors and obligations were his. The lower-rank bonnet could be picked up by any one who saw it and was willing to assume the obligations adhering thereto.

Young warriors who had not attained the rank of war-bonnet

7: Richardson D-4 (no date) 1929
NO6 Comanche NO6

border was still inviting and there the braves could find horses to steal and ranches to plunder; if there must be peace with Texas, there was at least one happy war ground, which according to Comanche ethics, was always a legitimate field of operation. That was Mexico. And hither the young braves would go, notwithstanding the more or less perfunctory efforts of the governments of the United States and Texas to stop them.

War with the Comanches might call forth united tribal effort or it might concern but a small party of warriors, depending on the circumstances. The chief or head man who wished to lead off a war party paraded through the camp, carrying in some cases a long pole with a red flag tipped with eagle's feathers, chanting a war song. If he was a popular leader and the bands was in a war mood, or if he could convince the young braves that his enterprise promised large returns by way of scalps, prisoners and booty, he would soon collect about him many warriors. War dances would be held, the leading men would make talks, runners would be sent to other bands and the expedition would take on large proportions. No warrior was obliged to join, but the young man who always stayed at camp would obviously soon become the object of much ridicule. However, the tribe was not entirely at the mercy of these young hot-spurs. If the expedition was likely to result in the flagrant violation of a popular treaty or if it was calculated to bring down upon the tribe the wrath of a powerful enemy, a more conservative sentiment would prevail and the movement would be nipped in the bud.

In this connection some description of Comanche weapons should be given. Although they acquired a few guns from white traders at a very early date, primitive weapons were all that a great majority of the tribesmen had as late as the middle of the nineteenth century. Their bows were of bois d'arc, rather short for long bows, being ordinarily not more than three feet in length. Sometimes they were wrapped with the sinew of the deer, and the bow string was of the same material. Their arrows were about twenty inches long, of flexible wood, with a triangular spike, or point, of iron. Two feathers intersecting each other at right angles were bound to the other extremity of the arrow and served to guide it. They frequently carried lances, one of which is described as "a piece of

24: Richardson H-4 (no date) 1929 NO6 Comanche NO6
(1854-1859) Texas

do them but for the fact that the fear of the white frontiersmen and wild Indians forced them to keep up their horses and feed them much of the time.[22] This partial elimination of the communist system had a wholesome effect, but it would have been impossible to carry it much farther because of the scarcity of arable land. A division of land so that each family head would have had a parcel separate and apart from the others would have become utterly impossible after a generation or two. Thus the cramped conditions on the small reservation would have acted as a barrier to progress even if the Indians had been permitted to remain there.

Many of the citizens of Texas complained that the reservation Indians were treacherous and dangerous and yet some of those persons living near the reserve vouched for the honesty of the Indians and stated that they regarded them as friends rather than enemies.[23] The settlement and development of the country in the vicinity of the reservation indicates that the white people generally had confidence in the peaceful disposition of the savages. It is significance that the most serious complaints did not come from those persons living near the reservation but from settlements a hundred or more miles away.

Some of the children made good progress in school. In 1858, it was reported that ten boys were in school and in a later account they were reported to be learning remarkably fast. Thomas T. Hawkins, special agent, who was sent to investigate the reservation in 1858, wrote of the Comanches:

> I regard them as superior in natural sense and intelligence to any of our full blooded native tribes—and I have seen many specimens in Washington, in the west and upon my journey hither.[24]

At times the Indians manifested some disposition to exercise tribal government sufficient to restrain unruly members. Once when a certain Indian, named Jack Porter, and two or three fol-

22. Neighbor's report, September 14, 1857. Thirty-Fifth Congress, First Session, Sen. Exec. Doc. No. 11, Vol. II. Also, Neighbors to Manypenny, May 14, 1854, and H. P. Jones, reservation farmer to M. Leeper, October 29, 1854, University of Texas photostat copies.

23. Thomas Lambshead (a citizen) to Manypenny, May 1, 1854. Ms. University of Texas photostat copy. Also, Hawkins to Mix, October 30, 1858, ibid.

24. Hawkins to Mix, October 30, 1858. Ms. University of Texas photostat copy.

24: Richardson H-4 (no date) 1929 NO6 Comanche NO6
(1854-1859) Texas

626 623 lowers returned from a raid to Mexico with twelve stolen horses, a council of chiefs was called to consider the matter and the culprits were informed that if they repeated the act they would all be shot.[25] However, it must be said that the exercise of authority generally stopped with admonition and an influential warrior had little to fear from a council composed of his fellow warriors. 622 Chief Ka-tem-e-see was given the use of a cabin and was paid thirty [657] dollars per month to act as head chief. From all accounts he took [434] his position quite seriously and worked faithfully to lead his people [166] aright. In one report it is stated that several females had recently deserted the reservation because of punishment he had inflicted upon them. Apparently the bravos were dealt with more tactfully.

Breaking Up the Reservation

657 Naturally the people of Texas had expected that the establishment of the reservations whereby the Indians were given the opportunity to maintain a comfortable existence under government supervision would improve frontier Indian conditions. But this 648 hope proved to be in vain. The various bands of Southern Comanches who refused to settle, together with parties of their northern kinsmen and the Lipans and small parties of other tribes continued to harass the settlements to such an extent as to call forth protests from many sources. Conditions not only did not improve but, according to the accounts of that day, grew worse from year to year, especially after 1856.

From the very beginning, and for good reasons, some of the frontier citizens had come to regard the reservations as a source 648 of trouble. It is true that the agents did their best to control their 657 Indians and they certainly never tolerated theft when they could prevent it. However, with Indians coming and going in such promiscous fashion it was utterly impossible for the agents to know just what their wards were doing. Although some of the frontiersmen made allegations to the contrary, there is overwhelming evidence to the effect that ranchmen who came to hunt their lost or stolen stock were extended every aid and courtesy by the agents and Ka-tem-e-see. They rarely ever found their property there,

[113] 25. Neighbor's report, September 16, 1858, Thirty-fifth Congress, Second Session, Sen. Exec. Doc. No. 1, Vol. I, p. 334.

31: Jones E-5 (1967-1970) 1972 N06 Comanche N06
Oklahoma

served a valuable function to the group and were therefore able to retain a certain amount of prestige. Another factor which no doubt contributed to the raising of the prestige of older Comanches and therefore to the decline in witchcraft was the influence of Christianity with its stress on respect for the aged.

The suggestions which I have offered and which I feel are necessary for an understanding of the relative insignificance of witchcraft among contemporary Comanches are all ultimately rooted in the dynamics of acculturation. Witchcraft has disappeared as an effective means of social control among Comanches as its function has become obliterated by the changes brought about by acculturation with the dominant white society. Nothing served to directly replace the institution of Comanche witchcraft. This type of institution became meaningless as the very foundations for its existence were destroyed by the acculturative phenomenon which served to augment, equalize, and temporally lengthen, through essentially economic means, the levels of social power and prestige obtainable by all Comanche individuals.